

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DONALD COLE BURCHETT,

Plaintiff,

vs.

THOMAS J. KRZYMSKI,

Defendant.

NO. CV-08-046-JLQ

ORDER DENYING *IN FORMA*  
*PAUPERIS* STATUS AND DISMISSING  
COMPLAINT

By Order filed April 21, 2008, the court directed Mr. Burchett to comply with 28 U.S.C. § 1915(a)(2) which requires prisoners who seek to bring a civil action without prepayment of the filing fee to submit a certified copy of their trust fund account statement (or institutional equivalent) for the 6-months immediately preceding the filing of the complaint. Plaintiff was cautioned that failure to do so would result in denial of leave to proceed *in forma pauperis* and closure of the file. He did not comply.

Therefore, **IT IS ORDERED** Plaintiff's application to proceed *in forma pauperis* is **DENIED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order, enter judgment, forward a copy to Plaintiff at his last known address and close the file.

**DATED** this 19<sup>th</sup> day of May 2008.

s/ Justin L. Quackenbush

JUSTIN L. QUACKENBUSH  
SENIOR UNITED STATES DISTRICT JUDGE